

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACKIE MAYWEATHER,

Defendant.

No. 14-CR-4069-DEO

**ORDER ACCEPTING REPORT
AND RECOMMENDATION
CONCERNING GUILTY PLEA**

I. INTRODUCTION AND BACKGROUND

Before the Court is Magistrate Judge Leonard T. Strand's Report and Recommendation Concerning Guilty Plea (Docket No. 25).

On August 28, 2014, a one count Indictment (Docket No. 2) was filed in the above-referenced case. On November 19, 2014, Defendant Jackie Mayweather entered a guilty plea to Count 1 of the Indictment before United States Magistrate Judge Leonard T. Strand.

Count 1 of the Indictment charges that from on or between July 2012, and August 2014, within the Northern District of Iowa and elsewhere, defendant, Jackie Mayweather an individual who was required to register pursuant to the Sex Offender Registration and Notification Act, as a result of being convicted in 1992 in Hennepin County, Minnesota of criminal

sex-2nd degree penetration and in 1988 in Hennepin County, Minnesota of criminal sex-3rd degree penetration, having, after said conviction, traveled in interstate commerce, did knowingly fail to register and update registration as required by the Sex Offender Registration and Notification Act.

This was in violation of Title 18, United States Code, Section 2250(a).

The Report and Recommendation (Docket No. 25), states that there is no plea agreement and recommends that defendant Jackie Mayweather's guilty plea be accepted. Waivers of objections to Judge Strand's Report and Recommendation were filed by each party (Docket Nos. 26 and 27). The Court, therefore, undertakes the necessary review to accept defendant Jackie Mayweather's plea in this case.

II. ANALYSIS

A. Standard of Review

Pursuant to statute, this Court's standard of review for a magistrate judge's Report and Recommendation is as follows:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings

or recommendations made by the magistrate
[judge].

28 U.S.C. § 636(b)(1). Similarly, Federal Rule of Civil Procedure 72(b) provides for review of a magistrate judge's Report and Recommendation on dispositive motions and prisoner petitions, where objections are made as follows:

The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the recommendation decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.

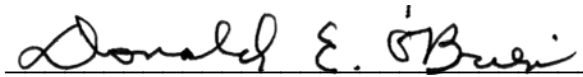
FED. R. CIV. P. 72(b).

As mentioned, waivers of objections to the Report and Recommendation have been filed, and it appears to the Court upon review of Magistrate Judge Strand's findings and conclusions that there are no grounds to reject or modify them.

IT IS THEREFORE HEREBY ORDERED that this Court accepts Magistrate Judge Strand's Report and Recommendation (Docket No. 25), and accepts defendant Jackie Mayweather's plea of

guilty in this case to Count 1 of the Indictment (Docket No. 2).

IT IS SO ORDERED this 16th day of December, 2014.

A handwritten signature in cursive script, reading "Donald E. O'Brien", is written over a horizontal line.

Donald E. O'Brien, Senior Judge
United States District Court
Northern District of Iowa